



ZACHARY W. CARTER
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

Steven A. Sutro
Labor and Employment Law Division
Phone: (212) 356-2470
Fax: (212) 356-2438
Email: ssutro@law.nyc.gov

September 15, 2015

BY ECF

Honorable Frederic Block
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, NY 11201

Re: Peter Cohn v. The Department of Education of the City of New York, et al.
Docket No. 15-CV-03938 (FB) (JO)

Dear Judge Block:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, assigned to represent defendants in the above-referenced action. Plaintiff, a tenured teacher employed by the Board of Education of the City School District of the City of New York ("BOE"), brings this lawsuit pursuant to 42 U.S.C. § 1983, alleging that defendants deprived him of his First Amendment right to free speech. Plaintiff alleges that he was part of a grading team for the NYS regents exam and observed another Earth Science teacher had about a dozen students score "100" on the lab part of the exam which plaintiff believed was accomplished by the students having been "coached" by the other teacher. He alleges that after he reported his suspicion that the other teacher had engaged in improper "coaching" on the exam, he received unsatisfactory observation reports and was issued unsatisfactory performance ratings for the 2011-12 and 2012-13 school years.

On August 18, 2015, the Court ordered a pre-motion conference be scheduled for September 25, 2015 at 11:00 AM. I write to request an adjournment of this pre-motion conference because I will be away on a scheduled vacation during the week of September 21, 2015.

This is the first request for an adjournment of the pre-motion conference. Plaintiff's counsel has consented to my request to adjourn the conference but indicated that he is not available the week of October 19, 2015.

Respectfully submitted,
/s/ **Steven A. Sutro**
Steven A. Sutro
Assistant Corporation Counsel

Honorable Frederic Block
United States District Judge
September 15, 2015
Page 2 of 2

cc: Hon. James Orenstein (*by ECF*)
U.S. Magistrate Judge

Stewart Lee Karlin (*by ECF*)
Attorney for Plaintiff